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BILL NO. Z-86-0 4-20

ZONING MAP ORDINANCE NO. Z-04-86

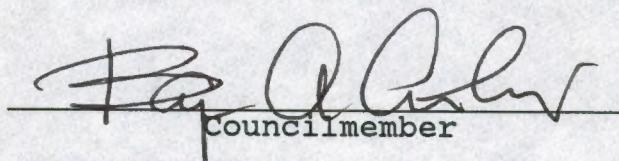
AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. F-3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

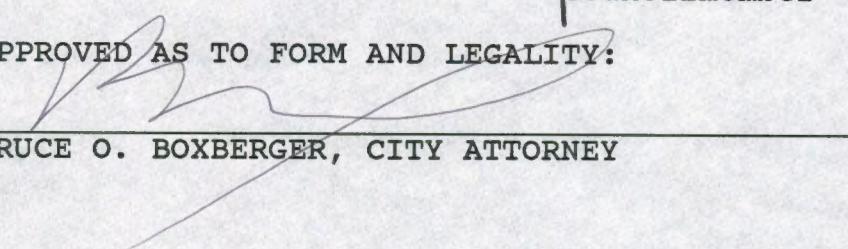
SECTION 1. That the area described as follows is
hereby designated an R3 (Multi-Family Residential) District
under the terms of Chapter 33 of the Code of the City of
Fort Wayne, Indiana of 1974:

Lot #5, Summit Place Amended Addition, an amended plat
of lots 1, 2, 3, 4, 5, 7, 8, 27 and 28 of Summit Place
Addition to the City of Fort Wayne, Indiana, according
to the plat recorded in Plat Record 15, page 28 in the
Office of the Recorder of Allen County,
and the symbols of the City of Fort Wayne Zoning Map No.
F-3, as established by Section 11 of Chapter 33 of the Code
of the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and approval by the
Mayor.


Ray A. Schlueter
Councilmember

APPROVED AS TO FORM AND LEGALITY:


BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Eisbark
seconded by Henry, and duly adopted, read the second time
by title and referred to the Committee Regulations (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne
Indiana, on _____, the _____ day of _____, 19_____, at _____ o'clock _____ M., P.

DATE: 4-22-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Eisbark
seconded by Henry, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>1</u>			
<u>BRADBURY</u>	<u>✓</u>				
<u>BURNS</u>	<u>✓</u>				
<u>EISBART</u>	<u>✓</u>				
<u>GiaQUINTA</u>	<u>✓</u>				
<u>HENRY</u>	<u>✓</u>				
<u>REDD</u>	<u>✓</u>				
<u>SCHMIDT</u>	<u>✓</u>				
<u>STIER</u>		<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>				

DATE: 5-27-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-04-86
on the 27th day of May, 1986,

ATTEST:

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 28th day of May, 1986,
at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 29 day of May
1986, at the hour of 3:30 o'clock P.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

RECEIPT

No 758

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., March 21 1986

RECEIVED FROM Anthony E Becker \$ 50 00
THE SUM OF 50 DOLLARS
ON ACCOUNT OF Young Living Lee

Gary Bock
AUTHORIZED SIGNATURE

RECEIPT NO. _____

DATE FILED _____

INTENDED USE INS. AGENCY OFFICETHIS IS TO BE FILED IN DUPLICATEI/We Anthony E. and Linda D. Becker
(Applicant's Name or Names)do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an RA District to a/an R-3 District the property described as follows:

SEE ATTACHED SHEET.

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED: 4715 West Jefferson St.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Miguel A. Terino4715 W. JeffersonLinda D. BeckerAnthony E. & Linda D. Becker
(Name)9807 Silver Shore Ct.
(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Anthony E. Becker
(Name)9807 Silver Shore Ct. 46804
(Address & Zip Code)432-4174

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

David M. Anderson

REGISTERED PROFESSIONAL ENGINEER (IND. NO. 17718)

REGISTERED LAND SURVEYOR (IND. NO. S0402)

FORT WAYNE, INDIANA



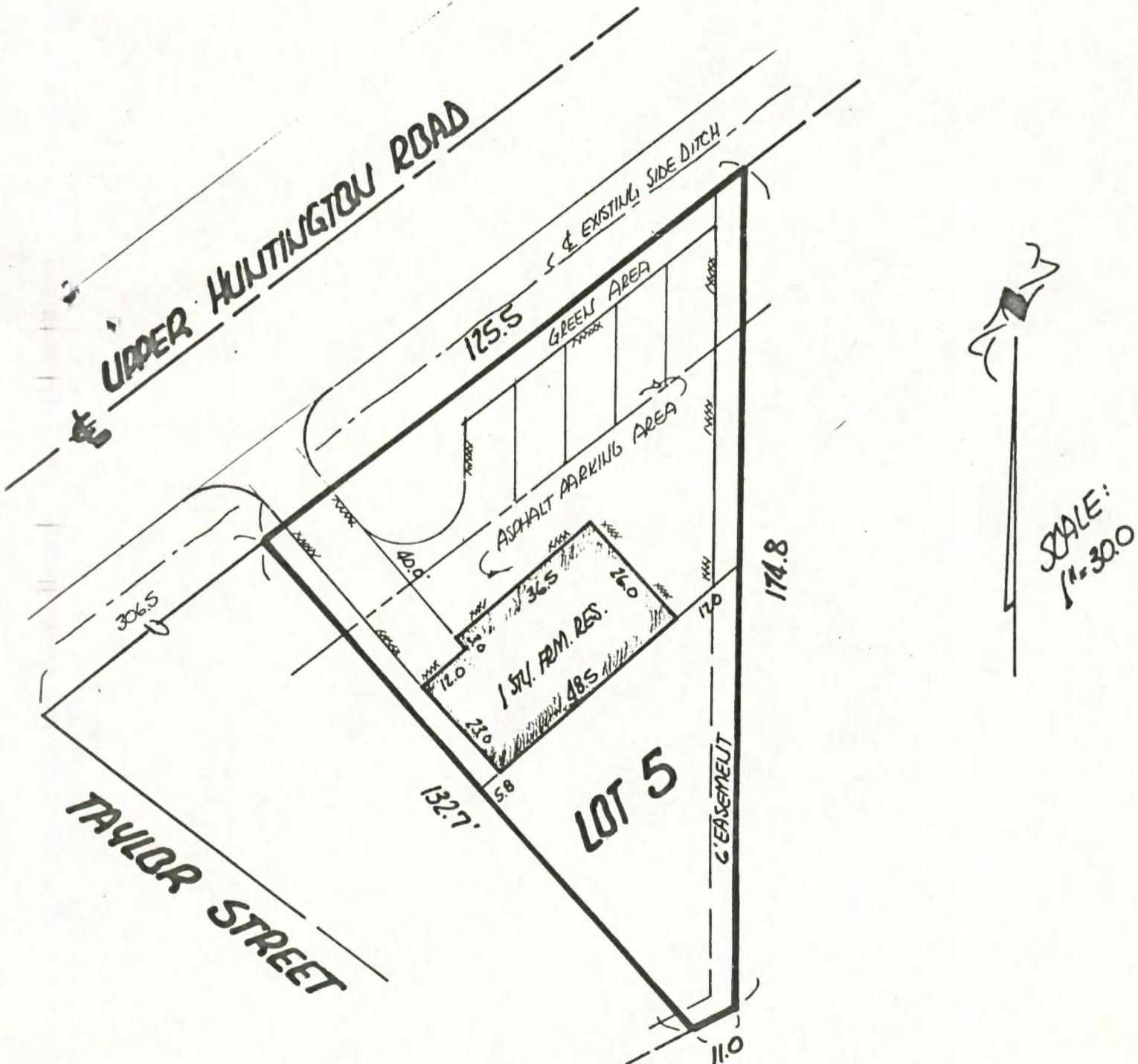
CERTIFICATE OF SURVEY

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's Office of _____ County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically stated below. Corners were perpetuated as indicated.

DESCRIPTION OF REAL ESTATE

Lot #5, Summit Place Amended Addition, an amended plat of lots 1, 2, 3, 4, 5, 7, 8, 27 and 28 of Summit Place Addition to the City of Fort Wayne, Indiana, according to the plat recorded in Plat Record 15, page 28 in the Office of the Recorder of Allen County.

This property is not in a special flood hazard area as defined by the FEMA Floodway Boundary Map Panel No. 20, effective April 3, 1985.



I hereby on the _____ day of _____, 19____ that the above survey is correct.
Surveyed for: _____
Survey No.: _____

AG-68

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 22, 1986, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-04-20; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 21, 1986;

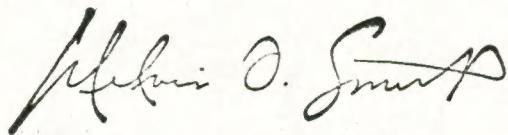
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 28, 1986.

Certified and signed this
30th day of April 1986.

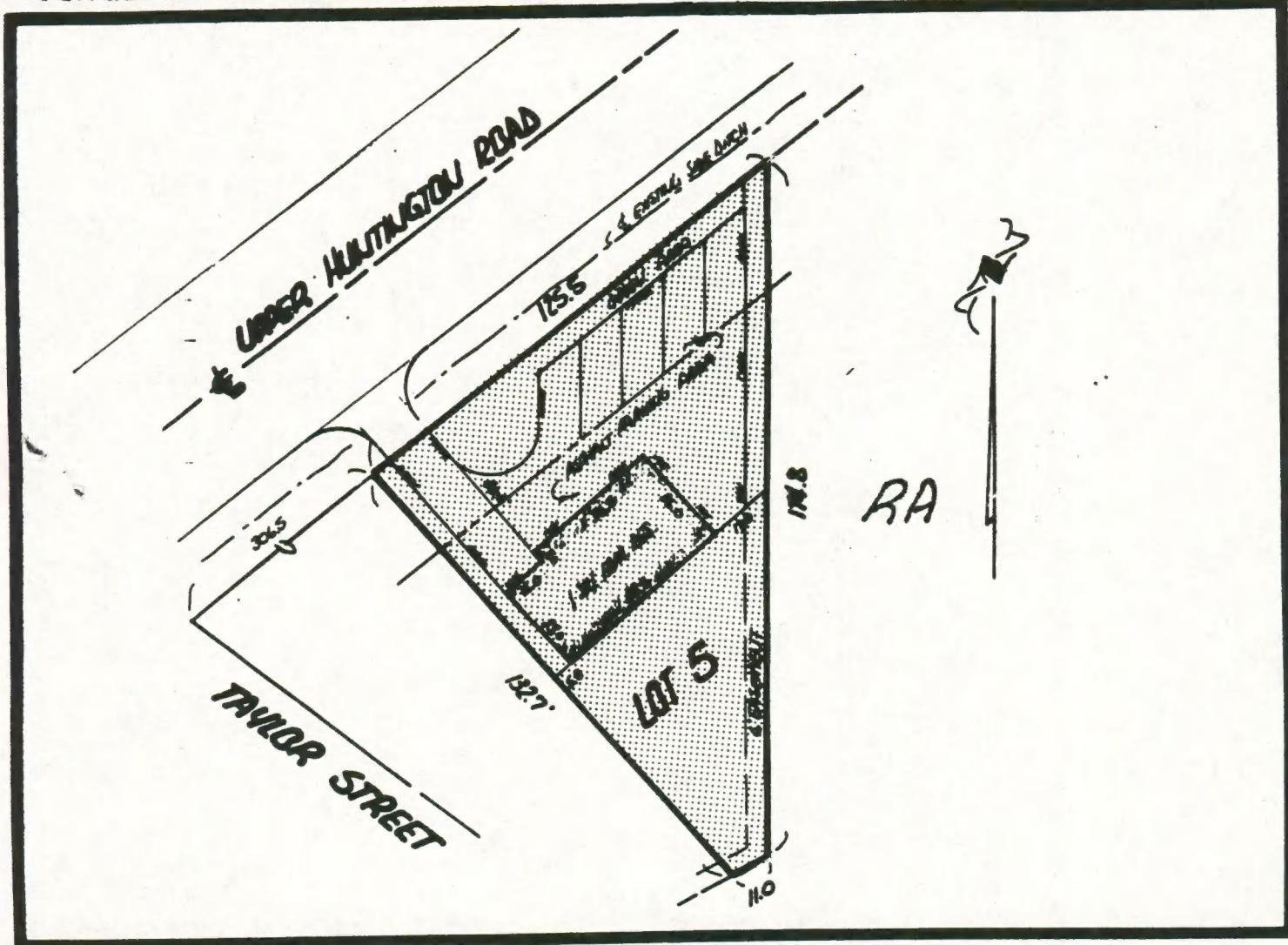


Melvin O. Smith
Secretary

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN RA DISTRICT TO AN R-3 DISTRICT.

MAP NO. F-3

COUNCILMANIC DISTRICT NO. 4



ZONING:

RA RESIDENCE A'

LAND USE:

SINGLE FAMILY

SCALE: NOT TO SCALE

DATE: 4-7-86



Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON														
Zoning Ordinance Amendment																
DETAILS <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> Specific Location and/or Address 4715 West Jefferson Bl </td> <td style="width: 50%; padding: 5px;"> POSITIONS </td> <td style="width: 50%; padding: 5px;"> RECOMMENDATIONS </td> </tr> <tr> <td style="padding: 5px;"> Reason for Project To establish an insurance office (with BZA Approval). </td> <td style="padding: 5px;"> Sponsor City Plan Commission </td> <td style="padding: 5px;"> Area Affected City Wide Other Areas </td> </tr> <tr> <td style="padding: 5px;"> Discussion (Including relationship to other Council actions) <u>21 April 1986 - Public Hearing</u> Tom Rayl, realtor, appeared before the Commission for the petitioner. Mr. Rayl stated that the petitioners intend to, if the property is rezoned, to put in a small insurance office. He stated that this property is in an area that is becoming a professional area. He stated that one of the reasons that the property is being sold is because the owners have small children and with the traffic on Jefferson they have determined that the area is not suitable for raising a family. Edith Kenna questioned if the staff had considered a frontage road for this property. V.C. Seth pointed out that they require 40 feet from the front of the property and that would place the frontage road in the center of the house. The property owner of 4625 W. Jefferson appeared before the Commission. He stated that he no longer feels that this </td> <td style="padding: 5px;"> Applicants/Proponents Applicant(s) Anthony Becker City Department Other </td> <td style="padding: 5px;"> Opponents Groups or Individuals Basis of Opposition </td> </tr> <tr> <td style="padding: 5px;"> Staff Recommendation </td> <td style="padding: 5px;"> <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against </td> <td style="padding: 5px;"> Board or Commission Recommendation <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions) </td> </tr> <tr> <td style="padding: 5px;"> CITY COUNCIL ACTIONS (For Council use only) </td> <td style="padding: 5px;"> <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass </td> </tr> </table>			Specific Location and/or Address 4715 West Jefferson Bl	POSITIONS	RECOMMENDATIONS	Reason for Project To establish an insurance office (with BZA Approval).	Sponsor City Plan Commission	Area Affected City Wide Other Areas	Discussion (Including relationship to other Council actions) <u>21 April 1986 - Public Hearing</u> Tom Rayl, realtor, appeared before the Commission for the petitioner. Mr. Rayl stated that the petitioners intend to, if the property is rezoned, to put in a small insurance office. He stated that this property is in an area that is becoming a professional area. He stated that one of the reasons that the property is being sold is because the owners have small children and with the traffic on Jefferson they have determined that the area is not suitable for raising a family. Edith Kenna questioned if the staff had considered a frontage road for this property. V.C. Seth pointed out that they require 40 feet from the front of the property and that would place the frontage road in the center of the house. The property owner of 4625 W. Jefferson appeared before the Commission. He stated that he no longer feels that this	Applicants/Proponents Applicant(s) Anthony Becker City Department Other	Opponents Groups or Individuals Basis of Opposition	Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against	Board or Commission Recommendation <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)	CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass
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DETAILS

area is conducive for residential use.

Mike Trevino, the property owner stated that had been unable to sell this property while it was listed for residential use.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

28 April 1986 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

Of the 8 members present 7 voted in favor of approval - one did not vote.

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date March 21 1986

Projected Completion or Occupancy

Date April 30, 1986

Fact Sheet Prepared by

Date April 30, 1986

Patricia Biancaniello

Reviewed by

Date April 30, 1986

Guy Bector
Reference or Case Number

April 30, 1986

ORIGINAL

Admn. Appr.

COUNCILMANIC DISTRICT No.

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 4715 West Jefferson Street

3-86-04-20

EFFECT OF PASSAGE Property is now zoned RA- Suburban Residential.

Property is now zoned R-3 - Multi-Family Residential.

EFFECT OF NON-PASSAGE Property will remain R-3 - Multi-Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

ASSIGN TO COMMITTEE (J.N.)

BILL NO. Z-86-04-20

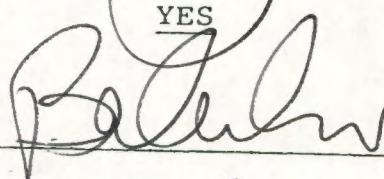
REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (RESOLUTION) amending the City of
Fort Wayne Zoning Map No. F-3

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(RESOLUTION)

YES

NO



BEN A. EISBART
CHAIRMAN

JANET G. BRADBURY
VICE CHAIRWOMAN

DONALD J. SCHMIDT

THOMAS C. HENRY

CHARLES B. REDD

CONCURRED IN

5-27-86

SANDRA E. KENNEDY
CITY CLERK